

103D CONGRESS  
1ST SESSION

# H. R. 91

To provide grants to States for the purpose of providing workplace services to small businesses.

---

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. KILDEE introduced the following bill; which was referred to the Committee on Education and Labor

---

## A BILL

To provide grants to States for the purpose of providing workplace services to small businesses.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Workplace Education  
5       and High Performance Workforce Act of 1993”.

6       **SEC. 2. PURPOSES.**

7       The purposes of this Act are—

8               (1) to assist small businesses in establishing  
9       workplace education programs to improve the pro-  
10      ductivity of such businesses;

1           (2) to assist small businesses in introducing  
2           new technologies and the reorganization of work;  
3           and

4           (3) to assist institutions of higher education  
5           and other suitable education providers in providing  
6           workplace services to small businesses.

7   **SEC. 3. DEFINITIONS.**

8           For purposes of this Act, the following definitions  
9   apply:

10           (1) INSTITUTION OF HIGHER EDUCATION.—The  
11           term “institution of higher education” has the  
12           meaning given such term in section 1201(a) of the  
13           Higher Education Act of 1965 (20 U.S.C. 1141(a)).

14           (2) NEW TECHNOLOGIES.—The term “new  
15           technologies” means equipment, processes, and tech-  
16           niques that have not previously been utilized by a  
17           business that will improve the productivity of such  
18           business.

19           (3) REORGANIZATION OF WORK.—The term  
20           “reorganization of work” means the processes and  
21           techniques for directing the work of employees that  
22           have not previously been utilized by a business that  
23           will improve the productivity of such business.

24           (4) SECRETARY.—The term “Secretary” means  
25           the Secretary of Labor.

1           (5) SMALL BUSINESS.—The term “small busi-  
2           ness” means an independently incorporated, for-  
3           profit business that employs 500 or fewer full-time  
4           employees.

5           (6) WORKFORCE SPECIALIST.—The term  
6           “workforce specialist” means an individual with ex-  
7           perience in improving the productivity of businesses  
8           through such methods as total quality management,  
9           statistical process control, the development of work  
10          teams and quality circles, reduction of management  
11          layers and oversight and enhancing the responsibility  
12          of front-line workers, introduction of just-in-time or  
13          computer integrated production, and increased gen-  
14          eral or job-specific training.

15          (7) WORKPLACE EDUCATION.—The term  
16          “workplace education” means employer-sponsored  
17          instruction provided to employees which—

18                 (A) shall include instruction in reading,  
19                 writing, mathematics, or English as a second  
20                 language; and

21                 (B) may include instruction in problem  
22                 solving, interpersonal communications, team-  
23                 work, and other work-related basic skills.

24 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

25          (a) IN GENERAL.—

1 (1) TITLE I.—There are authorized to be ap-  
2 propriated \$5,000,000 for each of the fiscal years  
3 1994 through 1998 to carry out title I.

4 (2) TITLE II.—There are authorized to be ap-  
5 propriated \$50,000,000 for fiscal year 1994,  
6 \$60,000,000 for fiscal year 1995, and \$100,000,000  
7 for each of the fiscal years 1996 through 1998, to  
8 carry out title II.

9 (b) AVAILABILITY.—Amounts authorized to be appro-  
10 priated under subsection (a) shall remain available until  
11 expended.

12 **TITLE I—OFFICE OF WORK-**  
13 **PLACE EDUCATION AND HIGH**  
14 **PERFORMANCE WORK**

15 **SEC. 101. ESTABLISHMENT.**

16 The Secretary of Labor shall establish in the Employ-  
17 ment and Training Administration an Office of Workplace  
18 Education and High Performance Work (in this Act re-  
19 ferred to as the “Federal office”).

20 **SEC. 102 DIRECTOR.**

21 The Federal office shall be headed by a Director (in  
22 this title referred to as the “Director”), who shall be paid  
23 at a rate equal to level 5 of the Executive Schedule.

24 **SEC. 103. DUTIES.**

25 The Secretary, acting through the Director, shall—

1           (1) carry out the grant program established  
2           under section 201(a);

3           (2) establish standards for the employment,  
4           qualifications, training, and activities of workforce  
5           specialists described in section 203(b)(3);

6           (3) conduct programs of research and analysis,  
7           which may include demonstration programs, to de-  
8           termine how small businesses can more effectively  
9           implement workplace education programs;

10          (4) develop and disseminate information on the  
11          introduction of new technologies and the reorganiza-  
12          tion of work by small businesses by—

13                (A) identifying sources of expertise of such  
14                technologies and reorganization of work in Fed-  
15                eral, State, and local agencies (including the  
16                Department of Commerce, the National Science  
17                Foundation, and the Small Business Adminis-  
18                tration);

19                (B) forming cooperative relationships with  
20                appropriate Federal agencies to determine how  
21                small businesses can more effectively implement  
22                such new technologies and reorganization of  
23                work; and

24                (C) encouraging and assisting labor orga-  
25                nizations, educational organizations, businesses

1 and other private organizations to provide infor-  
2 mation and technical assistance to small busi-  
3 nesses regarding workplace education, new tech-  
4 nologies, and the reorganization of work.

5 **SEC. 104. REPORTS TO CONGRESS.**

6 Not later than September 30, 1994, and at the end  
7 of each fiscal year thereafter, the Secretary shall submit  
8 to the President and the Congress a report containing—

9 (1) a compilation of the information contained  
10 in the State reports received by the Secretary under  
11 section 207; and

12 (2) an evaluation of the effectiveness of the  
13 grant program authorized under section 201(a).

14 **TITLE II—WORKPLACE EDU-**  
15 **CATION AND WORKFORCE**  
16 **GRANT PROGRAM**

17 **SEC. 201. AUTHORIZATION.**

18 (a) IN GENERAL.—The Secretary shall, from  
19 amounts appropriated pursuant to section 4(a)(2), provide  
20 grants to States for the purpose of establishing programs  
21 to improve the productivity of small businesses in such  
22 States.

23 (b) PERIOD OF GRANTS.—A grant received under  
24 subsection (a) may extend for a period of not more than  
25 5 fiscal years. The payments under such grant shall be

1 subject to annual approval by the Secretary and subject  
2 to the availability of appropriations for each fiscal year.

3 **SEC. 202. APPLICATION.**

4 The Secretary may provide a grant to a State under  
5 section 201(a) only if such State submits to the Secretary  
6 an application which contains—

7 (1) a plan containing the number of workforce  
8 service districts to be established by the State office  
9 in accordance with section 203(b)(2); and

10 (2) such other information as the Secretary  
11 may reasonably require.

12 **SEC. 203. USE OF FUNDS.**

13 (a) ESTABLISHMENT OF PROGRAM.—A State shall  
14 use amounts received from a grant under section 201(a)  
15 to establish a program to improve the productivity of small  
16 businesses in such State.

17 (b) CONDUCT OF PROGRAM.—In conducting the pro-  
18 gram established under subsection (a), the State shall  
19 meet the following requirements:

20 (1) ESTABLISHMENT OF STATE OFFICE OF  
21 WORKPLACE EDUCATION AND HIGH PERFORMANCE  
22 WORK.—

23 (A) IN GENERAL.—Subject to subpara-  
24 graph (B), the State shall establish a State of-  
25 fice of workplace education and high perform-

1           ance work (in this Act referred to as the “State  
2           office”) in 1 of the following entities:

3                   (i) A State agency that has respon-  
4                   sibility for education, training, or economic  
5                   development policy.

6                   (ii) An institution of higher education  
7                   located in such State.

8           (B) EXCEPTION.—In the case of a State  
9           that has established an entity comparable to the  
10          State office described in subparagraph (A),  
11          such State may, upon the approval of the Sec-  
12          retary, designate such entity as the State office  
13          for purposes of such subparagraph.

14          (2) ESTABLISHMENT OF WORKPLACE SERVICE  
15          DISTRICTS.—

16                  (A) IN GENERAL.—Subject to subpara-  
17                  graph (B), the State office shall establish work-  
18                  place service districts throughout the State—

19                          (i) each of which contains at least 1  
20                          institution of higher education which has  
21                          existing workplace education programs (or  
22                          will establish such programs not later than  
23                          the date on which the State in which such  
24                          institution is located will receive amounts  
25                          from a grant under section 201(a)), to pro-



1           vide small businesses with access to work-  
2           place services; and

3           (ii) which are of a sufficient number  
4           in order to allow ease of access by small  
5           businesses located in the State to utilize  
6           the services provided at such institutions of  
7           higher education.

8           (B) REQUIREMENTS.—In establishing  
9           workplace service districts, the State office  
10          shall—

11           (i) if the amount of the grant received  
12           by the State under section 201(a) is great-  
13           er than an amount equal to \$100,000 mul-  
14           tiplied by the number of such districts pro-  
15           posed to be established by the State in its  
16           application, hire and place at least 1  
17           workforce specialist who meets the stand-  
18           ards established by the Secretary under  
19           section 103(2), including necessary support  
20           staff, at an institution of higher education  
21           in each district; and

22           (ii) if the amount of the grant re-  
23           ceived by the State under section 201(a) is  
24           less than an amount equal to \$100,000  
25           multiplied by the number of such districts

1           proposed to be established by the State in  
2           its application, place at least 1 such  
3           workforce specialist, including necessary  
4           support staff, at an institution of higher  
5           education in each district that the State of-  
6           fice determines to be appropriate.

7           (3) DUTIES OF WORKFORCE SPECIALISTS.—

8           Each workforce specialist hired by a State office and  
9           placed at an institution of higher education under  
10          paragraph (2)(B) shall—

11           (A) serve as a local point of contact for  
12          small businesses interested in workplace serv-  
13          ices;

14           (B) provide workplace services to individ-  
15          ual small businesses by analyzing the needs of  
16          such businesses for the purpose of—

17           (i) designing workplace education pro-  
18          grams that will improve the productivity of  
19          such businesses; and

20           (ii) introducing new technologies and  
21          the reorganization of work at such busi-  
22          nesses;

23           (C) refer small businesses to other suitable  
24          education providers for the purpose of providing  
25          workplace services to such businesses, provided

1           that each such business shall reimburse such  
2           provider in an amount equal to at least 75 per-  
3           cent of the cost of the services attributable to  
4           such business, including instructional time, ma-  
5           terials, and facilities;

6           (D) assist in negotiating financial,  
7           logistical, and other arrangements between  
8           small businesses and other suitable education  
9           providers;

10          (E) provide technical assistance and train-  
11          ing to the staff of suitable education providers  
12          described in subparagraph (C) for the purpose  
13          of providing workplace services to small busi-  
14          nesses;

15          (F) encourage other small businesses and  
16          labor groups to provide such services; and

17          (G) provide small businesses with general  
18          information on workplace services.

19          (4) COOPERATION WITH WORKFORCE SPECIAL-  
20          ISTS.—The State office shall encourage local edu-  
21          cational agencies and other local agencies, small  
22          businesses, labor organizations, community-based or-  
23          ganizations, and other private organizations to co-  
24          operate with workforce specialists described in para-  
25          graph (3).

1           (5) OVERSIGHT OF WORKFORCE SPECIAL-  
2           ISTS.—The State office shall monitor and supervise  
3           the activities of each workforce specialist described  
4           in paragraph (3).

5           (6) WORKPLACE SERVICE INFORMATION.—The  
6           State office shall produce and disseminate informa-  
7           tion to the entities described in paragraph (4) and  
8           the general public on workplace services, including  
9           the need for and means of implementing workplace  
10          education programs, the introduction of new tech-  
11          nologies, and the reorganization of work.

12          (7) SOURCES OF EXPERTISE AND TECHNICAL  
13          ASSISTANCE.—The State office shall—

14                (A) identify Federal, State, and local  
15                sources of expertise and technical assistance  
16                that can assist small businesses in implement-  
17                ing workplace education programs, the intro-  
18                duction of new technologies, and the reorganiza-  
19                tion of work; and

20                (B) develop cooperative and collaborative  
21                relationships with such sources of expertise.

22          (8) RESEARCH AND DEMONSTRATION PRO-  
23          GRAMS.—The State office shall conduct research and  
24          demonstration programs to promote the understand-  
25          ing and acceptance of workplace education and en-

1 courage the use of and improvement of state-of-the-  
2 art workplace services.

3 (9) STATEWIDE OR REGIONAL TRAINING PRO-  
4 GRAMS.—The State office shall, in conjunction with  
5 the Federal office and workforce specialists, conduct  
6 Statewide or regional training programs for teachers  
7 and administrators at institutions of higher edu-  
8 cation, small businesses, labor organizations, com-  
9 munity-based organizations, and other individuals  
10 and entities that are engaged, or wish to become en-  
11 gaged, in the provision of workplace services.

12 (10) SUPPLEMENTAL GRANT PROGRAM.—

13 (A) IN GENERAL.—(i) Subject to clause  
14 (ii), the State office shall provide grants to  
15 small businesses for the purpose of improving  
16 the productivity of such businesses.

17 (ii) The State office shall use not more  
18 than 15 percent of amounts received from a  
19 grant under section 201(a) to provide grants  
20 under clause (i).

21 (B) APPLICATION.—To receive a grant  
22 under subparagraph (A)(i), a small business  
23 shall submit an application to the State office  
24 at such time, in such form, and containing such

1 information as the office may reasonably re-  
2 quire.

3 (C) USE OF FUNDS.—Grants made under  
4 subparagraph (A)(i) may be used by a small  
5 business only to—

6 (i) carry out workplace education pro-  
7 grams at such business;

8 (ii) introduce new technologies at such  
9 business; and

10 (iii) provide for the reorganization of  
11 work at such business.

12 (D) AMOUNT OF GRANT.—The State office  
13 may not make grants under subparagraph  
14 (A)(i) to any small business in an amount equal  
15 to or more than \$25,000.

16 (E) ALLOCATION.—The State office shall  
17 provide at least 60 percent of amounts used to  
18 provide grants under subparagraph (A)(i) to  
19 small businesses with 50 or fewer employees.

20 (11) EVALUATIONS.—At the end of each fiscal  
21 year in which the Secretary makes payments to a  
22 State under a grant under section 201(a), the State  
23 office in such State shall conduct a quantitative eval-  
24 uation of the effectiveness of the program estab-  
25 lished under subsection (a) in improving corporate

1 productivity through workplace education, the intro-  
2 duction of new technologies, and the reorganization  
3 of work.

4 (c) ADMINISTRATIVE COSTS.—Of the amount re-  
5 ceived by a State from a grant under section 201(a) for  
6 any fiscal year, not more than 10 percent of such amount  
7 may be used to pay the administrative costs of the pro-  
8 gram established under subsection (a).

9 **SEC. 204. MATCHING FUNDS.**

10 The Secretary may not make a grant to a State under  
11 section 201(a) unless such State agrees to provide non-  
12 Federal funds for the purpose of conducting the program  
13 under section 203(b) in an amount equal to not less than  
14 20 percent of the Federal funds provided to the State in  
15 each of the first two fiscal years that it receives amounts  
16 from a grant, and not less than 30 percent of the Federal  
17 funds that the State receives from such grant in each sub-  
18 sequent fiscal year.

19 **SEC. 205. ALLOCATION.**

20 (a) IN GENERAL.—In providing grants under section  
21 201(a), the Secretary shall award grants in a greater  
22 amount to States with larger populations, as determined  
23 by the Secretary.

24 (b) LIMITATION.—The Secretary may not provide  
25 grants under section 201(a) in a fiscal year to any State

1 in an amount totaling more than 10 percent of amounts  
2 appropriated pursuant to section 4(a)(2) for that fiscal  
3 year.

4 **SEC. 206. MAINTENANCE OF EFFORT.**

5 The Secretary may not make a grant to a State under  
6 section 201(a) unless such State agrees to maintain its  
7 aggregate expenditures for programs to improve the pro-  
8 ductivity of small businesses in such State at or above the  
9 average level of such expenditures in the fiscal year pre-  
10 ceding the fiscal year for which the State is applying to  
11 receive the grant.

12 **SEC. 207. STATE REPORTS.**

13 The Secretary may not make a grant to a State under  
14 section 201(a) unless such State agrees to submit to the  
15 Secretary, in each fiscal year in which the Secretary makes  
16 payments under such grant to such State, a report con-  
17 taining—

18 (1) a description of the program established by  
19 such State under section 203(a), including a sum-  
20 mary of the evaluation of such program conducted  
21 under section 203(b)(11);

22 (2) the number of small businesses receiving as-  
23 sistance under such program; and

24 (3) any other information as the Secretary may  
25 reasonably require.





HR 91 IH—2